THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9603 OF 2006

14.09.2006

Between:

Dasarla Devamma, W/o.D.Hanumanthu

… Petitioner

AND

Chairman and Managing Director,
Central Power Distribution Company of A.P. Ltd., Hyderabad
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9603 OF 2006

ORDER:

The petitioner is proprietrix of a poultry farm in Boyapur Village of Bijnepalli Mandal in Mahaboobnagar District. She is availing power supply under category III at Door No.8-42 with service connection No.73. On 29.12.2005, the third respondent inspected the petitioner's premises. In such inspection, the third respondent found that the petitioner is availing electricity to one of the poultry farms by directly tapping the LT overhead line by means of extra phase and neutral (2 nos.) 7/20 SWG black in colour aluminium wires and that consumer is involved in theft of electrical energy. By this reason, the third respondent provisionally assessed the value of the energy pilfered at Rs.1,30,635/-, and while informing that pending enquiry power supply is disconnected, advised the petitioner to pay a sum of Rs.65,317.50 ps for restoration of power supply during enquiry. Assailing this provisional assessment order/notice, the present writ petition is filed.

The writ petition was filed on 01.5.2006. The matter was listed on 02.5.2006 and the same was adjourned by this Court, as there was no representation for the petitioner. Again on 09.6.2006, the matter was listed and there was no representation. Be that as it is, in this writ petition, the petitioner assailed a provisional assessment order, which is in fact in compliance with subsection (2) of Section 126 of the Electricity Act, 1983. Therefore, the same cannot be faulted. The petitioner may approach the Superintending Engineer (Assessments) having jurisdiction over the matter and submit a representation, if the final assessment order is not passed. As and when the petitioner made the representation, the Superintending Engineer may consider the same and pass appropriate final assessment order in accordance with law. Except making this observation, no relief can be granted to the petitioner.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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September 14, 2006

(**V.V.S.RAO, J**)

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